

Company, and by the same name shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of suing and being sued, answering and being answered, and of enlarging their stock by new subscriptions if the same shall be found necessary.

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5. AND BE IT ENACTED, That the sums so subscribed shall be paid to the president and managers aforesaid, in such sums and at such times as they may appoint, giving one month's public notice of the payment so required.

Payments, how to be made

6. AND BE IT ENACTED, That the president and managers be and they are hereby authorised to appoint five commissioners, who, or a majority of whom agreeing, shall lay out the road, beginning at the mouth of Monocacy, or some place near thereto, through Montgomery county, in the straight and best direction, to the Baltimore and Frederick-town turnpike road, at the Poplar Springs in Anne-Arundel county, and after having laid out and marked said road, they shall make a plot of the same, specifying the courses and distances, and return it to the clerk of the counties through which it shall respectively pass, to be recorded; and the commissioners before they proceed to act shall take the following oath or affirmation: "I, A. B. do swear, or affirm, that I will lay out and mark the Monocacy turnpike road according to the best of my skill and judgment, according to the directions of an act of assembly, entitled, An act to incorporate a company to make a turnpike road from the mouth of Monocacy, or some place near thereto, through Montgomery county, to intersect the Baltimore and Frederick-town turnpike road, at the Poplar Springs in Anne-Arundel county; and I do further swear, or affirm, that I am not interested in any land through which the said road is likely to pass."

Commissioners to be appointed to lay out road—their oath

7. AND BE IT ENACTED, That the said company shall open the said road from the mouth of Monocacy, or some place near thereto, through Montgomery county, according to the location of the commissioners aforesaid, fifty feet wide, of which at least twenty feet shall be an artificial road, composed of stone or gravel, and erect and keep up bridges over the streams crossing the same; and whenever five miles of said road shall be perfected, said company shall be entitled to receive tolls; *Provided*, that no toll be demanded or taken from any person passing or repassing from one part of his farm to another, or to or from any place of public worship, or funeral, on days appointed for that purpose, or from militia-men on days of training, or from voters on days of election, attending the polls, going to, and returning from the same.

Width of road

Proviso

8. AND BE IT ENACTED, That said company shall be and are hereby invested and clothed with all the privileges, rights, immunities and advantages, which are held and possessed by the turnpike company incorporated by an act passed at November session, eighteen hundred and twelve*, entitled, An act to incorporate a company to make a turnpike road from the District of Columbia to the city of Baltimore, to be governed by the same regulations as are therein prescribed, and entitled to the same tolls, and every clause and provision of said act relative to the road therein proposed to be made, so far as the same are applicable and not inconsistent with this act.

Privileges, rights, &c.

* Ch. 72